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**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**OAKLAND DIVISION**

IN RE COLLEGE ATHLETE NIL  
 LITIGATION

Case No. 4:20-cv-03919-CW

**PLAINTIFFS' RESPONSE TO LETTERS  
 FILED BY FLORIDA STATE UNIVERSITY  
 ATHLETES**

1 Per the Court’s Notice (*see* ECF No. 280), Plaintiffs respond herein to the letters filed by  
2 Florida State University (“FSU” or the “University”) athletes—Devyn Flaherty, Jordan Travis, Kaley  
3 Mudge, Kurtell Benson, Makenna Reid, Julian Armella, Emily Ryan, and Amari Gainer (collectively,  
4 “Objecting FSU Athletes”)—which object to the production of their personal information on the basis  
5 of the Family Educational Rights and Privacy Act (“FERPA”). *See* ECF No. 272–79.  
6

7 As noted by the Objecting FSU Athletes, Plaintiffs served a subpoena on the University on  
8 May 12, 2023, which requested information on name, image and likeness (“NIL”) deals entered into  
9 by FSU athletes, including the Objecting FSU Athletes. Plaintiffs have represented to the subpoenaed  
10 institutions, including FSU, that they do not intend to challenge athletes’ FERPA-based objections to  
11 the production of information relating to their personal NIL deals. Consistent with those  
12 representations, Plaintiffs are not challenging the Objecting FSU Athletes’ objections, and, as such,  
13 will accept the University’s production without the inclusion of their information.  
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Dated: July 6, 2023

Respectfully submitted,

HAGENS BERMAN SOBOL SHAPIRO LLP

WINSTON & STRAWN LLP

By: /s/ Steve W. Berman

By: /s/ Jeffrey L. Kessler

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